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20 FIRE INSURANCE COMPANY OF PITTSBURGH, PA; DICK CORPORATION; THE
21 MORGANTI GROUP; and DICK/MORGANTI

22 UNITED STATES DISTRICT COURT

23 NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

24 UNITED STATES of AMERICA for the Use
25 and Benefit of WEBCOR CONSTRUCTION,
26 INC. dba WEBCOR BUILDERS, and
27 WEBCOR CONSTRUCTION, INC. dba
28 WEBCOR BUILDERS,

Plaintiffs,

vs.

DICK/MORGANTI, a joint venture; DICK
CORPORATION; THE MORGANTI
GROUP; AMERICAN CASUALTY
COMPANY OF READING, PA;
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA, and
DOES 1 through 10, inclusive,

Defendants.

AND ALL RELATED COUNTER-CLAIMS;
THIRD PARTY COMPLAINTS; and
CONSOLIDATED ACTION.

Case No.: 3:07-CV-02564-CRB

PROOF OF SERVICE

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is PECKAR & ABRAMSON, 455 Market Street, 21st Floor, San Francisco, California 94105. On December 18, 2007, I served the within documents:

1. **NOTICE OF MOTIONS; MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM [F.R.C.P. 12(b)(6); AND MOTION FOR A MORE DEFINITE STATEMENT [F.R.C.P. 12(e)]; and**
2. **[PROPOSED] ORDER GRANTING MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM [F.R.C.P. 12(b)(6)] AND MOTION FOR A MORE DEFINITE STATEMENT [F.R.C.P. 12(e)].**

☒ by sending the document(s) listed above via electronic transmission (e-mail) to the parties set forth below:

See Attached Service List

☒ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California at the address(es) set forth below.

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I am readily familiar with the firm's practice of collection and processing correspondence for mailing and Fed Ex. Under these practices it would be deposited with U.S. Postal Service or Fed Ex on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 18, 2008, at San Francisco, California.

Marissa Y. Otellini

Printed Name

/s/ Marissa Y. Otellini

Signature Line

**United States of America for the Use and Benefit of Webcor Construction, Inc. dba
Webcor Builders, and Webcor Construction, Inc. dba Webcor Builders,**

v.

Dick/Morganti, et al

Northern District of California, Case No.: 3:07-CV-02564-CRB

Consolidated with: Case No: 3:07-CV-07-04180 EDL

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